

Department of State

§ 9.15

unduly burdensome, the holder may attach a change of classification notice to the storage unit in lieu of the marking action otherwise required. Items withdrawn from the collection for purposes other than transfer for storage shall be marked promptly in accordance with the change notice.

§ 9.13 Transferred material.

(a) In the case of classified information transferred in conjunction with a transfer of functions, and not merely for storage purposes, the receiving agency shall be deemed to be the originating agency for purposes of the Order.

(b) In the case of classified information that is not officially transferred as described in section 3.2(a) of the Order, but that originated in an agency that has ceased to exist and for which there is no successor agency, each agency in possession of such information shall be deemed to be the originating agency for purpose of the Order. Such information may be declassified or downgraded by the agency in possession after consultation with any other agency that has an interest in the subject matter of the information.

(c) Classified information accessioned into the National Archives of the United States shall be declassified or downgraded by the Archivist of the United States in accordance with the Order, the Directive, and agency guidelines.

§ 9.14 Declassification and downgrading.

(a) *General.* Information should be declassified or downgraded as soon as national security considerations permit. Information will be protected in accordance with the provisions of the Order for as long as it meets the classification requirements prescribed by these regulations. Agencies shall coordinate their review of classified information with other agencies or foreign governments that have a direct interest in the subject matter.

(b) *Authority to declassify or downgrade.* Information shall be declassified or downgraded by the official who authorized the original classification, if that official is still serving in the same position; the originator's successor; a

supervisory official of either; or officials delegated such authority in writing by the agency head or the senior agency official designated pursuant to section 5.3(a)(1) of the Order. In addition, if the Director of ISOO determines that information is classified in violation of the Order, the Director may require the agency which classified the information to declassify it. Any such decision by the Director may be appealed to the National Security Council. The information shall remain classified until a decision has been made on the appeal.

(c) The agency shall maintain a current, unclassified, listing of officials delegated declassification and downgrading authority.

§ 9.15 Systematic review for declassification guidelines.

(a) The agency may schedule classified records of permanent historical or other value for bulk review for declassification and may either perform such review itself, or may refer the records, together with guidelines for declassification, to the Archivist of the United States for review.

(b) For records of the Department of State, a sampling of classified records of permanent value for a given period will be selected by the Office of the Historian (PA/HO), and reviewed by the Systematic Review Office of the Classification/Declassification Center. The Systematic Review Office will prepare guidelines, which will be transmitted by the Secretary of State to the Archivist of the United States, not later than February 1, 1983, for use in reviewing the remainder of the permanently valuable classified records of the given period when these records are accessioned to the National Archives.

(c) AID will prepare guidelines, and transmit them to the Archivist of the United States not later than February 1, 1983, for use in reviewing permanently valuable classified records that have been accessioned to the National Archives. The Records Management Branch, Communications and Records Management Division, (M/SER/MO), is designated as the office responsible for systematic review matters within the agency. The Branch Staff will provide